



Order Filed on March 9, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esquire
KML Law Group, P.C.
701 Market Street, Suite 5000
Philadelphia, PA 19106
Main Phone: 609-250-0700
dcarlon@kmlawgroup.com
Attorneys for Secured Creditor
M&T Bank

Case No.: 20-15487 JNP

Adv. No.:

Hearing Date: 2/02/2021 @ 11:00 a.m.

Judge: Jerrold N. Poslusny, Jr.

In Re:

Michael A. Rafine,

Debtor.

**AMENDED ORDER CURING POST-PETITION ARREARS & RESOLVING
CERTIFICATION OF DEFAULT**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby
ORDERED.

DATED: March 9, 2021

Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

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Debtor: Michael A. Rafine

Case No: 20-15487 JNP

Caption of Order: AMENDED ORDER CURING POST-PETITION ARREARS & RESOLVING CERTIFICATION OF DEFAULT

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, M&T Bank, Denise Carlon, Esq. appearing, upon a certification of default as to real property located at 91 Castle Heights Avenue, Pennsville, NJ, 08070, and it appearing that notice of said certification was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Stacey L. Mullen, Esq., attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of January 31, 2021 Debtor is in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due November 2020 through January 2021 plus 3 stipulation payments and 1 lump sum payment for a total post-petition default of \$9,179.06 (5 @ \$1,519.05, 1 @ \$1,583.81), broken down as follows:

- 2 regular installments at \$1,519.05 (November 2020 – December 2020)
- 1 regular installment at \$1,583.81 (January 2021)
- 3 cure installments at \$1903.57 (November 2020 – January 2021)
- 1 lump sum payment due 11/1/2020 at \$1500.00;
- **Total: \$11,832.62**

It is **ORDERED, ADJUDGED and DECREED** that the Debtor will cure the arrears by making the following payments:

- \$6,000.00 no later than February 13, 2021;
- \$2,750.00 in money orders previously remitted if not cashed shall be sent to the creditor no later than 10 days following Debtor's receipt of the refund for same;
- The balance of the arrears through January in the amount of \$3,082.62 to be paid by March 6, 2021;
- The February & March payments and February cure payment in the amount of \$5,071.21 (2 @ \$1,583.81 plus \$1903.59 cure payment) shall be made no later than April 2, 2021;]

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume April 1, 2021, directly to Secured Creditor's servicer, M&T Bank, PO Box 840, Buffalo, NY 14240 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

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It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and the Court shall entered the relief order upon filing of said certification; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs up to the sum of \$350.00 in an amount to be included in a post-petition fee notice for attorneys' fees and certification of default is hereby resolved.